

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

BERNADINE T. GRIFFITH  
Plaintiff,  
v.  
ONEBEACON INSURANCE COMPANY,  
ONEBEACON AMERICA INSURANCE  
COMPANY, MICHAEL A. SISTO, and  
KAREN ALLEN HOLMES  
Defendants.

**DEFENDANTS MICHAEL A. SISTO AND KAREN ALLEN HOLMES  
MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendants Karen Allen Holmes (“Holmes”) and Michael A. Sisto (“Sisto”) (collectively, “Defendants”) hereby move this Court for Judgment on the Pleadings as to Counts I through VI of the Plaintiff’s Amended Complaint thereby dismissing them as Defendants in the above referenced action.

As grounds for their motion and as more fully set forth in Defendants’ Memorandum of Law in Support of their Motion for Judgment on the Pleadings, Defendants Holmes and Sisto state that Plaintiff asserts in her Amended Complaint that both parties discriminated against her on the basis of her race, color, age, and disability in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000 *et seq.*, the Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.*, and the Americans with Disabilities Act, 42 U.S.C. 12101, *et seq.*, respectively. Defendants deny these

allegations in their entirety and state that none of the anti-discrimination statutes provide for recovery against individual defendants. Accordingly, Plaintiff's claims against the individual Defendants fail as a matter of law, and the claims against Holmes and Sisto must be dismissed.

Respectfully submitted,

ONEBEACON INSURANCE CO.,  
ONEBEACON AMERICA INSURANCE  
CO.,  
MICHAEL A. SISTO, and  
KAREN ALLEN HOLMES

By their attorneys

/s/ Leah M. Moore  
Keith B. Muntyan (BBO # 361380)  
keithmuntyan@morganbrown.com  
Leah M. Moore (BBO # 658217)  
lmoore@morganbrown.com  
MORGAN, BROWN & JOY, LLP  
200 State Street  
Boston, MA 02109  
617-523-6666 (phone)

Dated: June 9, 2005

**CERTIFICATE OF SERVICE**

I, Leah M. Moore, hereby certify that on this 9th day of June 2005, I caused a true and correct copy of the foregoing to be served via first class mail upon Kathleen J. Hill, Esq., Attorney for Plaintiff, Law Office of Kathleen J. Hill, 92 State Street, Suite 700, Boston, Massachusetts 02109, being the address designated by said attorney for service of all pleadings.

/s/ Leah M. Moore  
Leah M. Moore